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James A. Byrne U.S. Courthouse
Via videoconference
July 9, 2020
Commencing at 1:40 p.m.

APPEARANCES:

FOR DIRECT	FINE, KAPLAN AND BLACK
PURCHASER	BY: ROBERTA D. LIEBENBERG, ESQUIRE
PLAINTIFFS PSC,	BY: PAUL COSTA, ESQUIRE
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1 indictment here in the EDPA concerning Glenmark, also filed and
2 assigned to Judge Barclay Surrick, a colleague on this court
3 who is handling the other indictments in this area and nature.

4 And I don't have any other information. That is
5 public. It's been filed. It's a grand jury indictment, so it
6 is not private or confidential information any longer.

7 And of course I understand that in any case where
8 indictment might be pending or investigation is pending,
9 there's always Fifth Amendment considerations. But for
10 example, we know that we can work through some of those.
11 Whether you agree with a special master or whether I have to
12 rule on it, there's a way to do that ad hoc, case by case. I
13 see no reason that is a blanket stay on any discovery and even
14 motions practice if that's the case.

15 I want you to know that at this point, in all the
16 years of investigation, there can't possibly be a stay of all
17 civil litigation, unless it's really so permeated that nothing
18 can happen. And I don't know that yet. So I wouldn't be
19 granting a stay on any particular cases right now just because
20 there are indictments and convictions in some of those cases.

21 MR. KORPUS: We understand, Your Honor. We are
22 talking about a selection of bellwether and not a stay, which I
23 think raises different considerations.

24 THE COURT: Yes, it does. But I thought I should
25 bring that up so everyone could know what I was thinking.